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Application of: Paul A. Furze *et al.*

Application Serial No.: 10/826,451

Group An Unit: 2882

Filed: April 16, 2004

Examiner: Craig E. Church

For: GOLF BALL INSPECTION USING METAL MARKERS Attorney Docket No. B04-21

**TERMINAL DISCLAIMER**Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Petitioner, Troy R. Lester, represents that he is the Assistant Secretary and Chief Patent Counsel for Acushnet Company, the assignee of the entire right, title and interest in and to the instant application by virtue of an assignment from Paul A. Furze to the Acushnet Company recorded at reel 015230 and frame 0645.

Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application that would extend beyond the expiration date of the full statutory term of U.S. Patent No. 6,757,353 ("prior patent"), as such term is defined in 35 U.S.C. 154 and 173 and presently shortened by any terminal disclaimer. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. Petitioner further agrees that this agreement is to run with any patent granted on the instant application and is binding upon the grantee, its successors, or assigns.

In making the above disclaimer, Petitioner does not disclaim any terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of the prior patent is presently shortened by any terminal disclaimer," in the event that the prior patent later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of

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